

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
UNITED STATES OF AMERICA,)	
)	
)	
vs.)	CRIMINAL ACTION
)	NO. 04-10299-PBS
ROBINSON RUIZ,)	
Defendants,)	
_____)	

ORDER OF DETENTION
April 13, 2005

SWARTWOOD, C.M.J.

I. Nature of the Offense and the Government's Motion

On March 23, 2005, an Indictment was returned, charging Robinson Ruiz ("Mr. Ruiz"), with conspiracy to distribute five kilograms of cocaine, in violation of 21 U.S.C. §846. There is included in this Indictment a forfeiture allegation.

At Mr. Ruiz's initial appearance on March 30, 2005, the Government moved for a detention hearing in accordance with 18 U.S.C. §§3142(f)(1)(B) (if Mr. Ruiz is found guilty of this offense he could face a potential life sentence), (f)(1)(C) (Mr. Ruiz is charged with an offense for which a maximum term of imprisonment of ten years or more is prescribed in the "Controlled Substances Act") and (f)(2)(A) (risk of flight).

The matter was then continued to April 8, 2005, for Mr. Ruiz's arraignment and a hearing on the Government's motion for detention.

On April 8, 2005, Mr. Ruiz was arraigned and following arraignment, assented to an Order of Detention, but reserved his right to a detention hearing in the future.

II. Order of Detention Pending Trial

In accordance with the foregoing memorandum,
IT IS ORDERED:

1. That Mr. Ruiz be committed to the custody of the Attorney General or his designated representative, for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;

2. That Mr. Ruiz be afforded a reasonable opportunity for private consultation with counsel; and

3. On order of a court of the United States or on request by an attorney for the Government, the person in charge of the corrections facility in which Mr. Ruiz is detained and confined shall deliver Mr. Ruiz to an authorized Deputy United States Marshal for the purpose of any appearance in connection with a court proceeding.

RIGHT OF APPEAL

THE PERSON OR PERSONS DETAINED BY THIS ORDER MAY FILE A MOTION FOR REVOCATION OR AMENDMENT OF THE ORDER PURSUANT TO 18 U.S.C. § 3145 (b) .

/S/CHARLES B. SWARTWOOD, III
CHARLES B. SWARTWOOD, III
CHIEF MAGISTRATE JUDGE